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An Affiliate of the American Council of the Blind
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June 30, 1998

Federal Communications Commission
Office of the Secretary - Judy Boley
1919 M Street, N.W.
Room 234
Washington, DC 20554

RE: WT Docket No. 96-198; FCC 98-55
Implementation of Section 255 of the Telecommunications Act of
1996: Access to Telecommunications Services,
Telecommunications Equipment, and Customer Premises
Equipment by Persons With Disabilities

I am filing the following comments regarding the proposed
FCC rules for enforcing Section 255 of the Telecommunications
Act on behalf of the three hundred plus members of the Bay State
Council of the Blind, an affiliate of the American Council of the
Blind. The overall intent of these comments is to assure that blind
and partially sighted people have complete access to all
equipment and services provided by the telecommunications
industry.

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We urge the FCC to adopt the guidelines developed by the Access Board for telecommunications equipment manufacturers. These guidelines were developed after a lengthy consultative process with both the disability community and industry. We believe that they are fair and will do much to provide access to telecommunications services and equipment for those of us who are blind as well as those with other disabilities.

We urge the FCC to rethink its proposed definition of "readily achievable" to bring it in line with the definition set forth in the Americans with Disabilities Act. We understand the need to balance costs against overall financial resources, but we believe that adding cost recovery as a criterion will retard and/or eliminate the provision of true access. As a relatively small market for some of the services which will need to be developed, the blindness community will go unserved, if providers are permitted to withhold services based on the inability to recover the full cost of providing them. It is precisely because the marketplace has not responded to the needs of small minority groups like ours that legislation such as that included in Section 255 was needed in the first place. Our society provides many examples of regulations promulgated for the common good which do not require cost recovery requirements, such as job safety and environmental protection rules.

We believe that the FCC rules should take into account the need to make so-called enhanced services accessible to persons with disabilities. Many of these services are really part of telecommunications services, not just informational. For example, I have been told by a number of blind people that they are using cellular phones which offer attractive features which are completely useless to those of us who cannot see the visual displays. As technology evolves, we expect that many more such features will be available to the general public but inaccessible to

various groups of persons with disabilities unless action is taken to see that this does not happen.

We strongly support the provisions regarding the complaint process which waive filing fees, eliminate time restrictions on filing complaints, and allow complaints to be filed in any manner accessible to the complainant. It is also important to assure that manufacturers and service providers establish and publicize accessible contact points. A complaint process difficult to use would be nothing but a mockery.

It is our belief that Congress intended to grant persons with disabilities full access to the products and services provided by the telecommunications industry by including Section 255 in the legislation. It is our hope that the FCC rules will carry out this intent. We believe that adopting the recommendations contained in our comments will go a long way to achieving these goals.

Respectfully Submitted,

Ms. Kim Charlson, President
Bay State Council of the Blind